

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Prohibition & Excise Department – Year-wise notional panel of Prohibition & Excise Superintendent fit for promotion to the post of Assistant Commissioner of Prohibition & Excise for the panel year 2012-13 - Recommendations of Departmental Promotion Committee – Approved – Orders – Issued.

REVENUE (EX.I) DEPARTMENT

G.O.MS.No. 58

Dated: 18-02-2020

Read the following:-

- 1.From the Commissioner of Prohibition & Excise, AP., in Lr.No.1332/2018/CPE/A2, dt.28.01.2019.
- 2.U.O.Note No.1035340/Ser.D/2019, General Administration (Ser.D) Department, dt.09.01.2020 along with DPC Proceedings, dated.08.01.2020.

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ORDER:

In the reference 1st read above, the Commissioner of Prohibition & Excise, A.P., among others, has stated that Sri D. Srikanth Reddy, Assistant Commissioner of Prohibition & Excise, Vijayawada and other batch-mates represented that they joined in the Department as Assistant Prohibition and Excise Superintendents during the year, 2006. After a prolonged legal litigation, the Commissioner of Prohibition & Excise, A.P., finalized seniority lists in the cadre of Assistant Prohibition & Excise Superintendents and basing on which, year-wise panels were drawn up from the cadre of Prohibition & Excise Superintendent and above. Accordingly, they promoted as Prohibition and Excise Superintendents during the panel year 2009-10. Government took up promotions to the cadre of Assistant Commissioner of Prohibition & Excise in the available vacancies for the panel year 2012-13 and their names were also came up for consideration. Unfortunately, the DPC could not be convened and the panel year has been elapsed. Subsequently, charges in the liquor syndicate cases have been served on most of the officers during 2013. As a result, promotions to the cadre of Assistant Commissioner of Prohibition & Excise and above were stalled and they were posted as In-charge Assistant Commissioners of Prohibition & Excise for facilitating smooth administration by relaxing Rule 10 (h) of Andhra Pradesh State and Sub-ordinate Service Rules, 1996 and they were officiated as In-charge Assistant Commissioners w.e.f. January, 2014 by drawing pay and allowance in the scale of Prohibition & Excise Superintendent. They also represented that in order to finalize the allocation in the cadre of Prohibition & Excise Superintendents, Government have drawn the year-wise panels in the cadre of Prohibition & Excise Superintendents for the years from 2010-11 to 2013-14 (upto 01.06.2014) during the year, 2018. But the year wise panels of Assistant Commissioner were drawn upto 2011-12 only.

2. The Commissioner of Prohibition & Excise, A.P., has also stated that the applicants and certain other Prohibition and Excise Superintendents also filed OAs., viz., Sri K. Hemanth Nagaraju (OA No.4544/2013), Sri D.Srikanth Reddy (OA No.4274/2013), Sri D.V. Satya Prasad (OA No.4596/2013), Smt. B.Srilatha (OA No.4542/2013), Sri M.Siva Prasad (OA No.4273/2013) and Sri SVVN Babji Rao (OA No.4271/2013) before the Hon'ble Tribunal. The Hon'ble Tribunal, in its interim orders (during the month of June, 2013) ordered in the above OAs that:

“pending disposal of the OA, there shall be interim direction to the respondents to consider the case of the applicant for promotion to the post of Assistant Commissioner of Prohibition & Excise in the panel year 2012-13 without reference to disciplinary case, subject to his eligibility, seniority and pass appropriate orders”.

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3. The Hon'ble Tribunal, in its final orders in the said OAs (during July, 2016), made the interim orders absolute.

4. Hence, the Commissioner of Prohibition & Excise, AP., has requested to consider to place the proposals before the relevant Committee to consider for approval of year-wise notional panel of Prohibition & Excise Superintendent fit for promotion to the post of Assistant Commissioner of Prohibition & Excise for the panel year 2012-13 and 2013-14 (upto 01.06.2014 prior to bifurcation of State) and from 2014-15 to 2017-18.

5. The proposal of the Commissioner of Prohibition & Excise, AP., for preparation of notional panel to the category of Assistant Commissioner of Prohibition & Excise for the panel year 2012-13 to 2013-14 (upto 01.06.2014 prior to bifurcation of State) and from 2014-15 to 2017-18 in respect of residuary State of Andhra Pradesh has been examined in detail; keeping in view the orders of Hon'ble Tribunal, advisory departments and opinion of the Advocate General, High Court of Andhra Pradesh and placed before the Empowered Committee to give its recommendations for preparation of year-wise notional panels of Prohibition & Excise Superintendent fit for promotion to the post of Assistant Commissioner of Prohibition & Excise for the panel years 2012-13 to 2013-14 (prior to bifurcation of State) and from 2014-15 to 2017-18.

6. The Empowered Committee, which met on 17.07.2019, after going through the entire record and after lengthy deliberations of the whole issue noted that earlier a similar exercise was done by the Government in respect of preparation of year wise panels for promotion to the post of Deputy Executive Engineer to Executive Engineer in PR & RD Department and promotion to the post of Executive Engineer, Superintending Engineer and Chief Engineer in Water Resources Department based on the orders of Hon'ble Supreme Court of India. Therefore, they felt that the same procedure may be adopted in this case also and as such there may be no necessity to relax the Rule-6 of the A.P. State and Subordinate Service Rules for preparation of year wise panels. They have also advised to furnish all the relevant material to the General Administration Department for preparation of year-wise notional panel of Prohibition & Excise Superintendent fit for promotion to the post of Assistant Commissioner of Prohibition and Excise for the year 2012 – 13 restricting to the Andhra Pradesh cadre strength and its employees.

7. In view of the recommendations of the Empowered Committee, the matter has been placed before the Departmental Promotion Committee for its recommendations for preparation of notional panel to the category of Assistant Commissioner of Prohibition & Excise for the panel year 2012-13 restricting to the Andhra Pradesh cadre strength and its employees.

8. The Departmental Promotion Committee, which met on 08.01.2020, after going through the ACRs, relevant records and other material papers including all the disciplinary cases pending against the Prohibition & Excise Superintendents in the seniority list and opinion of the Advocate General and also recommendations of the Empowered Committee and after making an overall assessment of their service record and work done, considered that the following Prohibition & Excise Superintendents are eligible for notional promotion to the category of Assistant Commissioner of Prohibition & Excise and accordingly recommended the following names be included in the panel of Prohibition & Excise Superintendents for promotion under Rule-10 (a) of Andhra Pradesh State and Sub-ordinate Service Rules, 1996, to the category of Assistant Commissioner of Prohibition & Excise, for the panel year 2012-13, restricting to the Andhra Pradesh cadre strength and its employees and subject to the result of the disciplinary proceedings/charges pending against them:

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Sl.No	Name of Prohibition & Excise Superintendents (S/Sri/Smt.	Roster Point
1	S.V.V.N.Babji Rao	CFRP-2 (SC-W) (2011-2012)
2	M. Siva Prasad	CFRP-7(SC) (2011-12)
3	K. Hemanth Nagaraju	RP-12
4	D. Srikanth Reddy	RP-13
5	D.V. Satya Prasad	RP-14
6	B. Srilatha	RP-15

9. Government after careful consideration, hereby accept the recommendations of the Departmental Promotion Committee and approve the following names for inclusion in the panel of Prohibition & Excise Superintendents fit for promotion under Rule-10 (a) of Andhra Pradesh State and Sub-ordinate Service Rules, 1996, to the category of Assistant Commissioner of Prohibition & Excise, for the panel year 2012-13:

Sl.No	Name of Prohibition & Excise Superintendents (S/Sri/Smt.	Roster Point
1	S.V.V.N.Babji Rao	CFRP-2 (SC-W) (2011-2012)
2	M. Siva Prasad	CFRP-7(SC) (2011-12)
3	K. Hemanth Nagaraju	RP-12
4	D. Srikanth Reddy	RP-13
5	D.V. Satya Prasad	RP-14
6	B. Srilatha	RP-15

10. The above approved notional panel is subject to directions/outcome of OAs/WPs/WAs/RPs/SLPs/CAs etc., if any pending before Tribunal/Courts etc., as the case may be.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. D. SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To

The Commissioner of Prohibition & Excise, A.P.,
RS.No.88-2B, Sai Vihar Apartments, Poultry Farm Road,
Prasadampadu(Village), Vijayawada (Rural Mandal), Krishna District.

Copy to:

The General Administration (Ser.D)Department.

The PS to Deputy CM & Minister (Excise & CT.)

The PS to Spl. C.S. to Govt., Revenue (Excise) Department.

The Revenue (Vig-IV) Department.

Sf/Sc

//FORWARDED::BY ORDER //

SECTION OFFICER.